

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

In re:

Michael Stewart Fitz

and

Carol Jean Fitz,

Debtors.

Bankr. No. 04-10253

Chapter 13

ORDER REGARDING
MOTION FOR RELIEF
FROM AUTOMATIC STAY

The Court having been advised by Robert E. Hayes, counsel for the moving creditor South Dakota Housing Development Authority (hereinafter the "Authority"), and Curt R. Ewinger, counsel for Debtors, of their agreement for the disposition of the Authority's Motion for Relief From the Automatic Stay (doc. 60), and good cause thereby appearing,

IT IS HEREBY ORDERED:

1. In the event Debtors pay to the Authority or its servicing agent the sum of \$2,197.16 within ten days from the date of this Order, the Authority shall withdraw its Motion for Relief of Stay; and

2. In the event Debtors have not paid the sums set forth above within ten days from the date of this Order, pursuant to Local Rule 9021-1(b), the Authority may, without further notice or hearing, obtain an order granting it relief from the automatic stay upon filing an affidavit of default by counsel for the Authority.

So ordered: November 15, 2007.

BY THE COURT:



Charles L. Nail, Jr.
Bankruptcy Judge

On the above date, a copy of this document was mailed or faxed to the parties shown on the Notice of Electronic Filing as not having received electronic notice and Debtor(s), if Debtor(s) did not receive electronic notice.

Frederick M. Entwistle
Clerk, U.S. Bankruptcy Court
District of South Dakota

NOTICE OF ENTRY
Under Fed.R.Bankr.P. 9022(a)

This order/judgment was entered
on the date shown above.

Frederick M. Entwistle
Clerk, U.S. Bankruptcy Court
District of South Dakota